

**REYNOLDS TECHNICAL  
ASSOCIATES**

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November 15, 1996

Mr. William F. Caton, Secretary  
FEDERAL COMMUNICATIONS COMMISSION  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

RECEIVED  
NOV 22 1996  
FCC MAIL ROOM

RE: Petition for Rule Making  
Channel 270A  
Bainbridge, GA

DOCKET FILE COPY ORIGINAL

Dear Mr. Caton:

Enclosed please find the original and four copies of a petition for rule making that we wish to file for our client, Chattahoochee Broadcast Associates. The petition is for the allocation of a second FM channel to Bainbridge, Georgia. This allocation was made possible by recent change in the spectrum (Table of Allotments) ordered in MM Docket 95-82.

An additional copy is attached and labeled "Receipt Stamp Copy." It is attached to an addressed and stamped envelope. Please have someone receipt stamp this copy and return it to the petitioner for its records.

Thank you for your assistance in getting this petition filed.

Sincerely,  
REYNOLDS TECHNICAL ASSOCIATES

  
Paul Reynolds

**ORIGINAL**

**Before the**  
**FEDERAL COMMUNICATIONS COMMISSION**  
**Washington, D.C. 20554**

In The Matter of )

Amendment of Section 73.202(b), )  
Table of Allotments, )  
FM Broadcast Stations )  
(Bainbridge, Georgia) )

MM Docket \_\_\_\_\_

RM \_\_\_\_\_

**RECEIVED**  
**NOV 22 1996**  
**FCC MAIL ROOM**

To:

Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

**PETITION FOR RULE MAKING**

Chattahoochee Broadcast Associates ("CHATTAHOOCHEE"), a Georgia General Partnership, hereby petitions the Commission to institute a Notice of Proposed Rule Making (NPRM) for the allocation of channel 270A to Bainbridge, Georgia, as that Community's second FM broadcast service. CHATTAHOOCHEE gives the required verifications and also certifies that if the Commission allocates the channel, it, or an entity in which it participates, will file an application for construction permit.

**CHANNEL 270A AT BAINBRIDGE QUALIFICATIONS**

As shown by the attached channel study, channel 270A, when allocated to Bainbridge, appears to have no short spacing to any known licensed facilities, proposed minor changes or proposed rule makings. It also appears that the

nearest short spacing concerns are as follows: WJCC(FM), (channel 270C) Montgomery, Alabama, at 317.2°(Degrees) True; WXSJ(FM) (channel 268C1), Quincy, Florida,<sup>1</sup> at 171.3°(Degrees) True and WSLE(FM), (channel 272A), Cairo, Georgia, at 83.9°(Degrees) True (See Exhibit E, Figure 1). The intersecting of these minimum distance separation contours create the location area for a fully spaced antenna site for channel 270A at Bainbridge. The exhibit (Exhibit E, Figure 1) is an allocations study using the Bainbridge community reference coordinates. The study depicts that using these coordinates, channel 270A can be allocated to Bainbridge.

Exhibit E, Figure 2 is an allocations study using a hypothetical set of coordinates 10.0 kilometers from the community of Bainbridge. This study also depicts an open area that can be used as an antenna site. Exhibit E, Figure 3 is a computer generated map demonstrating the required 70 dBu contour service to 100% of Bainbridge. Figure 3 makes the assumption that a proposed station operated as a maximum class A.

The second attached map shows the window available for the allocation of channel 270A to Bainbridge. This shows that CHATTAHOOCHEE's proposed coordinates do not short-space any existing stations, construction permits, applications,

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<sup>1</sup> Coordinates used are those of the substitute 268C1 for use by WXSJ. See MM Docket 95-82

or allocations. The map uses the Bainbridge "center city" coordinates as reference.

In order to alleviate potential FAA problems, CHATTAHOOCHEE could possibly use an existing structure in excess of 350 feet AGL at a fully spaced reference site under Section 73.215. If the Commission allocates channel 270A to Bainbridge as that community's second local FM aural service, antenna sites in the immediate area of the CHATTAHOOCHEE reference coordinates will be available without FAA obstruction concerns.

#### **BAINBRIDGE, GEORGIA**

Bainbridge is located in Decatur County, Georgia. It has local banking, a functioning school system, a public library, in addition to police and municipal service systems which give it the necessary indicia required by the Commission to be a community of license. According to the United States Census Bureau, Bainbridge had a population of 10,712 persons on January 1, 1990. The community is recognized as Census Designated Area by the US Census Bureau. Information from the Georgia Secretary of State depicts that it has a functioning city government and has been an incorporated city for several years.

### PETITION SUMMARIZED

The petition for the allocation of channel 270A at Bainbridge can be SUMMARIZED as follows:

| <u>COMMUNITY</u> | <u>PRESENT</u> | <u>PROPOSED</u> |
|------------------|----------------|-----------------|
| Bainbridge       | 247C           | 247C & 270A     |

No substitutions of channels in other markets or interruption of service are necessary for this allocation. Since there are no channel deletions or substitutions necessary for the allocation of channel 270A at Bainbridge, it can be allotted and applications for a construction permit filed immediately.

### EXPRESSION OF INTEREST

CHATTAHOOCHEE hereby certifies that it is interested in the allocation of channel 270A at Bainbridge and if the channel is allocated it, or an organization in which it participates, will timely file an application for construction permit. It further states that it, or an entity in which it is a participant, will construct and daily operate this station, if it is the successful applicant.

### PETITIONER'S PREFERENCE

CHATTAHOOCHEE is aware that talk in the "trade" lately has hinted that the Commission may institute a procedure commonly known as "petitioner's preference or finders preference." This practice would, in essence, give a

petitioner a preference when an application window was opened for an allocation. If this rule is implemented before the Commission takes action on the instant petition, it will respectfully request a petitioner's preference.

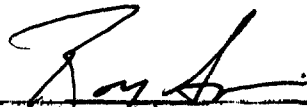
### **CONCLUSION**

CHATTAHOOCHEE is petitioning the Commission to institute a Notice of Proposed Rule Making leading to the allocation of channel 270A at Bainbridge, Georgia, as that community's second local FM service. This channel is available for allocation immediately, as it requires no deletions and/or substitutions in other communities. In addition, the allocation will not require a site restriction but can be used for distances in excess of 10.30 kilometers at 62° (northeast of the community of license). CHATTAHOOCHEE certifies that it, or an entity in which it participates, will apply for the license at Bainbridge if the channel is allocated.

**CERTIFICATION**

CHATTAHOOCHEE BROADCAST ASSOCIATES, Petitioner for the allocation of a new FM broadcast channel at Bainbridge, Georgia, does hereby verify that the statements contained in this Petition for Rule Making are true and correct to the best of its knowledge and belief. It represents that this Petition is not filed for the purpose of impeding, obstructing or delaying determination on any other application or petition with which it may be in conflict.

Respectfully Submitted,  
CHATTAHOOCHEE BROADCAST ASSOCIATES

  
By: Roy Simpson  
General Partner

This 14<sup>th</sup> Day of November, 1996

CHATTAHOOCHEE BROADCAST ASSOCIATES  
4143 East River Road  
Camilla, Georgia 31730  
(912) 248-6100

# ENGINEERING STATEMENT

IN SUPPORT OF A

## PETITION FOR RULE MAKING

ADD CHANNEL 270A  
Bainbridge, Georgia  
CHATTAHOOCHEE BROADCAST ASSOCIATES

### CHANNEL 270A ALLOCATION AT BAINBRIDGE, GA

[DEPICTING ALL KNOWN EXISTING & PROPOSED FM FACILITIES]  
(USING COMMUNITY CENTER COORDINATES AS REFERENCE)

30 54 22 N. Class A Search Date  
84 34 40 W. Current rules spacings 11-11-96  
Channel 270 -101.9 MHz

| Call                            | Ch#   | City        | State | Bear' | Dist'  | R'qrd | Margin   |
|---------------------------------|-------|-------------|-------|-------|--------|-------|----------|
| Community of Bainbridge         |       |             | GA    | 0.0   | 0.00   |       |          |
| Reference Coordinates:          |       |             |       |       |        |       |          |
| North Latitude: 30-54-22        |       |             |       |       |        |       |          |
| West Longitude 84-34-40         |       |             |       |       |        |       |          |
| EXHIBIT E<br>Figure 1           |       |             |       |       |        |       |          |
| WJPH                            | 270A  | Monticello  | FL    | 121.5 | 79.32  | 115.0 | -35.68 * |
| Of No Concern                   |       |             |       |       |        |       |          |
| Ch 270A & 270C3 Deleted &       |       |             |       |       |        |       |          |
| Ch 289C3 Allocated in           |       |             |       |       |        |       |          |
| MM Docket 95-82                 |       |             |       |       |        |       |          |
| WXSR                            | 268C2 | Quincy      | FL    | 164.2 | 44.61  | 55.0  | -10.39 * |
| Of No Concern                   |       |             |       |       |        |       |          |
| Ch 268C2 Deleted &              |       |             |       |       |        |       |          |
| Ch 268C1 Allocated (@ new site) |       |             |       |       |        |       |          |
| in MM Docket 95-82              |       |             |       |       |        |       |          |
| WJCC                            | 270C  | Montgomery  | AL    | 317.2 | 226.11 | 226.0 | 0.11 *   |
| ALOPEN                          | 268C1 | Quincy      | FL    | 171.3 | 82.25  | 75.0  | 7.25 *   |
| Allocation Site of Ch 268C1     |       |             |       |       |        |       |          |
| for Use by WXSR                 |       |             |       |       |        |       |          |
| WSLE                            | 272A  | Cairo       | GA    | 83.9  | 42.54  | 31.0  | 11.54    |
| WYDA.C                          | 269A  | Graceville  | FL    | 273.6 | 88.13  | 72.0  | 16.13    |
| WKAK                            | 269A  | Albany      | GA    | 27.0  | 88.97  | 72.0  | 16.97    |
| WWSG.C                          | 271A  | Sylvester   | GA    | 45.5  | 98.40  | 72.0  | 26.40    |
| WPHK                            | 272A  | Blountstown | FL    | 221.6 | 67.01  | 31.0  | 36.01    |
| WESP                            | 273C3 | Dothan      | AL    | 295.8 | 82.03  | 42.0  | 40.03    |
| WAGFFM                          | 267A  | Dothan      | AL    | 294.4 | 79.29  | 31.0  | 48.29    |

# ENGINEERING STATEMENT

**IN SUPPORT OF A**

# PETITION FOR RULE MAKING

**ADD CHANNEL 270A  
Bainbridge, Georgia  
CHATTAHOOCHEE BROADCAST ASSOCIATES**

## CHANNEL 270A ALLOCATION AT BAINBRIDGE, GA

**[DEPICTING ALL KNOWN EXISTING & PROPOSED FM FACILITIES]  
(USING POSSIBLE APPLICATION SITE AS REFERENCE)**

30 56 55 N.  
84 28 55 W.

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Class A
Current rules spacings
Channel 270 -101.9 MHz

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Search Date  
11-11-96

| Call | Ch# | City |
|------|-----|------|
|------|-----|------|

| State | Bear' | Dist' | R'grd | Margin |
|-------|-------|-------|-------|--------|
|-------|-------|-------|-------|--------|

**Community of Bainbridge**

**GA 242.8 10.30**

**Reference Coordinates:**

North Latitude: 30-54-22

**West Longitude: 84-34-40**

EXHIBIT E  
Figure 2

**WJPH 270A Monticello**

**FL Deleted NM Docket 95-82**

**WXSR 268C2 Quincy**

**FL Deleted NM Docket 95-82**

WSLE 272A Cairo

GA 90.3 33.13 31.0 2.13 \*

WJCC 270C Montgomery

AL 314.8 229.01 226.0 3.01 \*

WKAK 269A Albany

GA 22.8 80.84 72.0 8.84 \*

ALOPEN 268C1 Quincy

|    |       |       |      |       |
|----|-------|-------|------|-------|
| FL | 177.8 | 86.07 | 75.0 | 11.07 |
|----|-------|-------|------|-------|

WWSG.C 271A Sylvester

|    |      |       |      |       |
|----|------|-------|------|-------|
| GA | 43.5 | 88.63 | 72.0 | 16.63 |
|----|------|-------|------|-------|

WYDA.C 269A Graceville

FL 270.5 97.10 72.0 25.10

WPHK 272A Blountstown

FL 224.4 76.72 31.0 45.72

**WESP 273C3 Dothan**

|    |       |       |      |       |
|----|-------|-------|------|-------|
| AL | 290.5 | 88.58 | 42.0 | 46.58 |
|----|-------|-------|------|-------|

WPNG.C 270A Pearson

|    |      |        |       |       |
|----|------|--------|-------|-------|
| GA | 77.5 | 161.90 | 115.0 | 46.90 |
|----|------|--------|-------|-------|

**ENGINEERING STATEMENT**  
**OF**  
**LEE S. REYNOLDS**  
**AND**  
**VIRGLE LEON STRICKLAND**  
**IN SUPPORT OF AN**  
**AMENDMENT TO AN**  
**APPLICATION FOR A CONSTRUCTION PERMIT**  
**WMCZ(FM) MILLBROOK, ALABAMA**  
**REPLY #: 1800B3-AJA    FILE #: BPH-951120IF**  
**MAY, 1996**

**GENERAL**

In its original application for a construction permit, Capital Communications (herein referred to as "Capital" as well as "The Applicant") attempted to show that its proposed facility of 1.3 kilowatts with an antenna CORAMSL of 272.99 meters complied with 47 C.F.R. §73.315(a) by means of the Longley-Rice propagation method. Reynolds and Strickland showed that the field strength over the entire city of license (Millbrook, Alabama) was in excess of 70 dBu, but because they did not include a contour plot of the distance to the 70 dBu contour using the Longley-Rice method, compliance with 47 C.F.R. §73.315(a) could not be proven. Therefore, it is Capital's intent to show in the instant amendment that the distance to the 70 dBu contour not only encompasses the entire city of license, but that it also shows improvement of better than 10% in each radial.

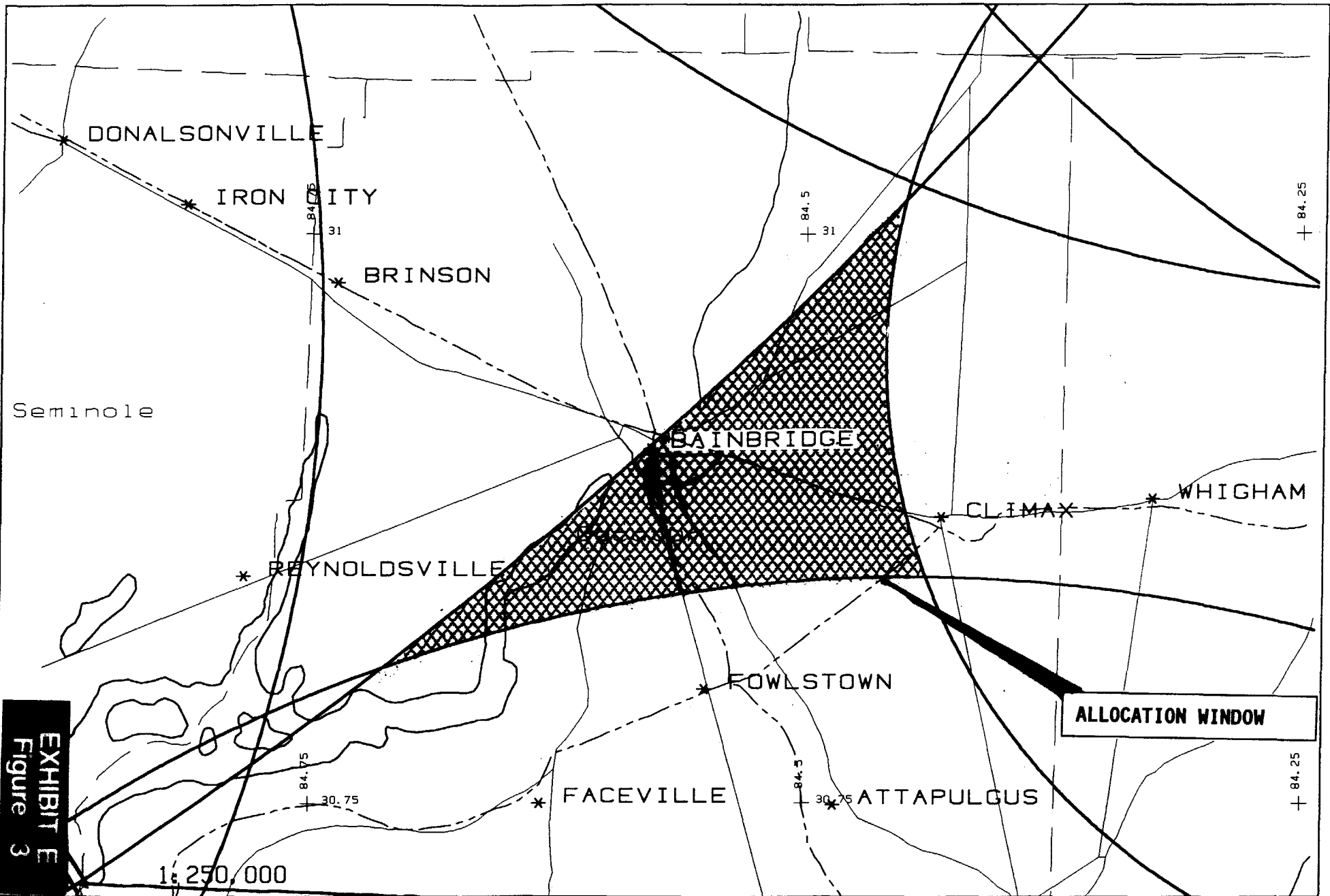


EXHIBIT E  
Figure 3

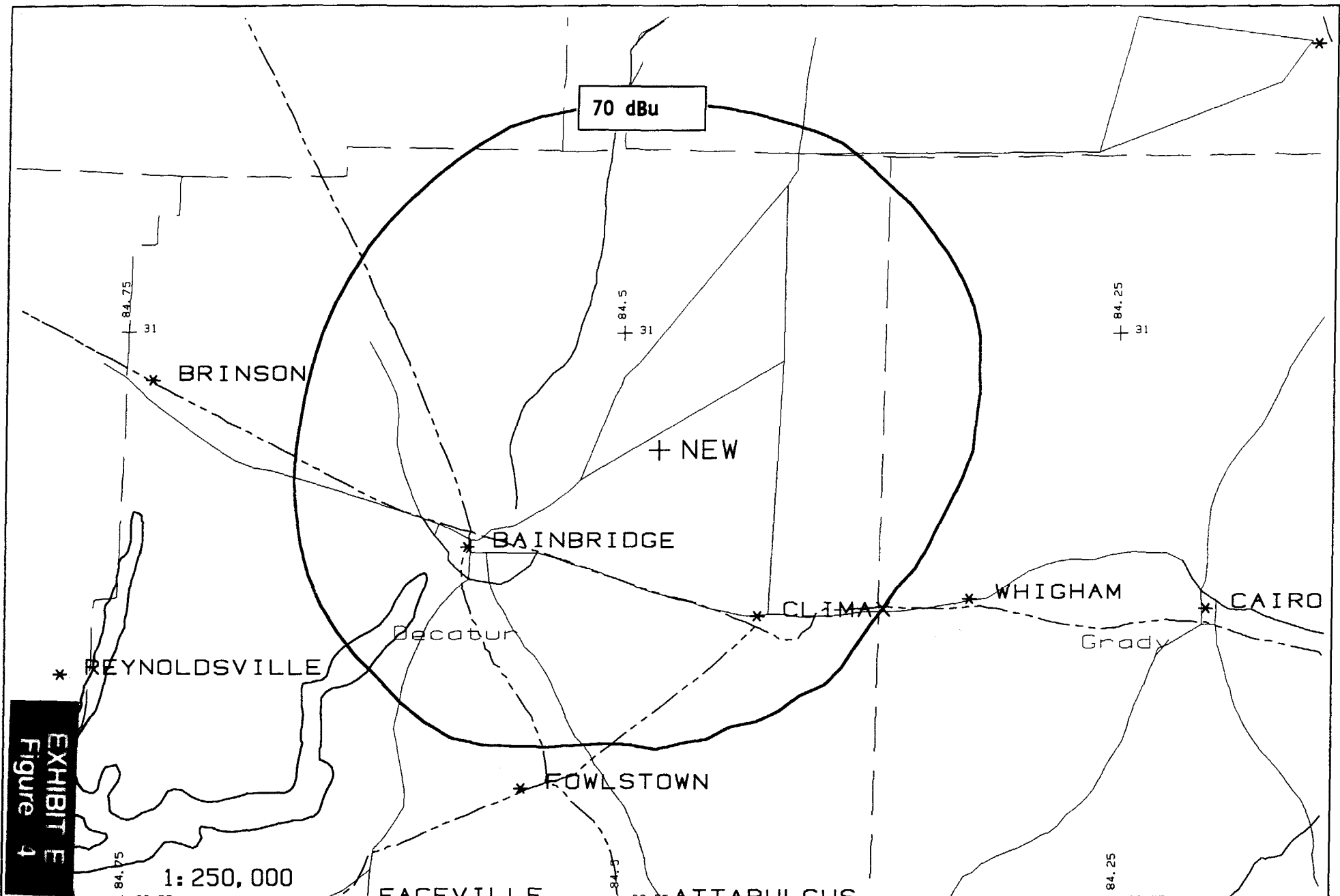


EXHIBIT E  
Figure 1

|                                   |  |  |
|-----------------------------------|--|--|
| <p>Scale in km</p> <p>0 10 20</p> | <p>NEW 270 6kW</p> <p>N. Lat. 30 56 55      W. Lng. 84 28 55</p> | <p>CH 270 @ BAINBRIDGE</p> <p>REYNOLDS TECHNICAL</p> |
|-----------------------------------|--|--|